IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Criminal Application No.2588 of 2006

M/s.Universal Petro-Chemicals Ltd. Appellant
Vs.
debi Prasana Chatterjee & anr. Respondents

Mr.A.P.Mundargi, Sr.Counsel with Mr.B.G.Tansali i/b.
M/s.Kiran Jain & Co. for appellant.
Mr.A.S.Shitole, APP for State.

CORAM: B.H.MARLAPALLE, J.

August 6, 2007.

P.C.

. Heard Mr.Mundargi, the learned Senior Counsel for the applicant-company. The applicant's complaint was allowed and accused nos.1 to 3 were convicted for the offences punishable under Section 120-B and Section 408 read with Section 34 of IPC as per the order dated 20/10/2004. The said order of conviction and sentence came to be challenged by the accused by filing two separate appeals i.e. Criminal Appeal Nos.369 and 392 of 2004. The learned Addl. Sessions Judge was pleased to allow the appeals and the impugned order of conviction and sentence passed by the trial Court was set aside. This order of acquittal is sought to be challenged and hence this application for leave to appeal under Section 378(4)

of Cr.P.C.

. Having regards to the reasoning set out in the order of acquittal passed by the lower Appellate Court, I am satisfied that this application requires to be allowed and hence leave to appeal is hereby granted.

. Appeal is admitted.

. Call for R. & P.

. The learned APP appears for the State.

. Action under Section 390 of Cr.P.C. to be taken by the trial Court.